

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

STEPHEN ALAN MACOMBER,

Defendant.

8:10CR220

ORDER

This matter is before the Court on the Defendant's Motion to Dismiss with prejudice (Filing No. 35). The Court has considered the parties' briefs (Filing Nos. 70, 71), the government's evidence (Filing No. 72), and the evidence and arguments presented at the August 22, 2012, hearing.¹

IT IS ORDERED:

1. The Defendant's Motion to Dismiss (Filing No. 35) is granted insofar as this case is dismissed, and denied insofar as the dismissal is without prejudice; and
2. All other pending motions are denied as moot.

Dated this 22nd day of August, 2012.

BY THE COURT:

s/Laurie Smith Camp
United States District Judge

¹ The Court also attempted to hear this matter on July 20, 2012. However, the Defendant's presence could not be obtained on the telephone. The Court stated the background of the case and outlined the issues to be addressed.